

## REMARKS

Claims 31, and 33-44 are pending. An Office Action mailed October 16, 2003 rejected Claims 39, 40, and 42-44 under 35 U.S.C. § 102 and Claims 31, 33-38 and 41 under 35 U.S.C. § 103. Pursuant to 37 C.F.R. § 1.111, Applicant respectfully requests entry of this amendment and reconsideration of the Application.

### REJECTION OF CLAIMS UNDER 35 U.S.C. § 102

The Office Action rejected Claims 39, 40, and 41-42 as being anticipated by Katz. The Office Action states that Katz discloses in FIGURE 1 an element, which is described as “integrated with or mounted to a vehicle, such as transceiver 10 in vehicle 11 of FIGURE 1. In (some) cases, the portable transponder may be integrated into the vehicle, as is a radio, and powered by a vehicle power source” (col. 6, lines 10-30). The Office Action further states that the vehicle-based communication component receives location information from interacting with the sensors and/or meters around the component and directly communicates with the central computer system regarding the payment of fees for the specific spot in which the car is located. The Office Action further states that Katz does teach and suggest receiving vehicle location information from a vehicle based communication component and a communication device located within the vehicle. Applicant respectfully traverses this rejection.

Applicant submits that Katz discloses that an authorization signal is generated by the portable transceiver 10 (col. 6, lines 4-21). The authorization signal from the portable transponder 10 provides an indication that the parking meter fees are to be paid via an account (e.g. credit or debit) or that the user or vehicle is not being charged meter fees (col. 6, lines 17-21). Applicant submits that in Katz the portable transponder 10 does not determine location information of the vehicle. In fact, Applicant submits that as shown in FIGURE 7A, when a space is determined to be occupied by the sensor unit 50, the signal of the unit 50 stops (block 712). After the signal of unit 50 stops, then the process 700 checks to see if a signal from the car transponder 10 is detected (block 716, FIGURE 7A). Therefore, there is no connection between

the authorization signal generated by the transceiver 10 and the information of whether a space is occupied as determined by the unit 50. Therefore, Applicant submits that Katz fails to teach or suggest that a vehicle based communication component is configured to determine location information of the vehicle. Therefore amended independent claim 39 is allowable over Katz. Because Claims 40 and 42-44 depend from amended independent claim 39, they are allowable for the same reasons that make Claim 39 allowable.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

The Office Action rejected Claim 31 as being unpatentable over Manion. With regards to amended Claim 31, Applicant respectfully traverses this rejection.

Applicant submits that Manion fails to teach or suggest receiving vehicle information from a communication component within a vehicle, determining if any vehicles have registered for parking within a predefined distance from the parking attendant device based on a comparison of the parking attendant location information and received vehicle location information associated with previously registered vehicles. The vehicle information includes information regarding the location of the vehicle. Therefore, Applicant submits that Claim 31 is allowable over the cited reference.

The Office Action rejected Claims 33-38 as being unpatentable over Manion in view of Katz. Because Claims 33-38 depends from allowable Claim 31, they are allowable for the same reasons that make Claim 31 allowable.

The Office Action rejected Claim 41 as being unpatentable over Katz. Because Claim 41 depends from allowable Claim 39, it is allowable for the same reasons that make Claim 39 allowable.

## CONCLUSION

Applicant respectfully submits that all of the claims of the pending application are now in condition for allowance over the cited references. Accordingly, Applicant respectfully requests withdrawal of the rejections, allowance, and early passage through issuance. If the Examiner has any questions, the Examiner is invited to contact the Applicant's agent listed below.

Respectfully submitted,

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## MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: MAIL STOP NON-FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

1/6/04  
Date of Deposit



Michelle J. Carman